IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 19605 of 2004

Between:

M/s.Sai Krishna Wines, rep., by Licensee D.Gopala Krishna, s/o Kondaiah, r/o Kandukur, Prakasam district.

... PETITIONER

AND

1 Commissioner of Proh.,& Excise, Govt., of A.P., Nampally,

Hyderabad.
2 Prohibition & Excise Superintendent, Ongole, Prakasam District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ, order or directions, directing the respondents to adhere to the instructions in force issued under Rule-35 of A.P.Indian Liquor & Foreign Liquor Rules, while considering the requests for shifting of shops from one premises to another premises.

Counsel for the Petitioner: MR.P.BALAMUKUNDA RAO

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court at the admission stage made the following :

-

-

-

-

-

-

O R D E R:

Learned counsel for the petitioner submits that the writ petition has become infructuous, in view of the fact that the Commissioner of Excise has accorded permission to the contesting respondents. It is also stated that the petitioner filed W.P.No.283 of 2005, challenging the said order.

In that view of the matter, the writ petition is dismissed, as infructuous. There shall be no order as to costs.

_____

3rd February, 2005

pan

To

1 Commissioner of Proh.,& Excise, Govt., of A.P., Nampally,

Hyderabad.

2 Prohibition & Excise Superintendent, Ongole,

Prakasam District.

3 Two C.Cs. to the Government Pleader for Proh. & Excise,

High Court buildings, Hyderabad (OUT)

4 Two C.D.copies